

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

BRANDON HEITMANN,

Debtor(s).

Chapter 7
Case No. 24-41956-mar
Hon. Mark A. Randon

_____/

MOHAMED SAAD,

Plaintiff,

Adv. Pro. No. 24-04375-mar
Hon. Mark A. Randon

v.

BRANDON HEITMANN,

Defendant.
_____/

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2025, I electronically served the foregoing paper(s) with the Clerk of the Court using the ECF system, which will send notification of such filing to the Office of the United States Trustee and all those listed by the Court as receiving electronic notices in this case from the Court's CM/ECF system.

I also hereby certify that I served a copy of the Notices of Deposition, with Adversary Subpoenas as appropriate, upon the following via first class U.S. Mail:

Justin Booth, Representative of Coastal Pools

25005 Trans X Rd.
Novi, MI 48375

Mohamed Saad c/o OSIPOV BIGELMAN
P.C., Jeffrey H. Higelman, Esq.

20700 Civic Center Dr., Ste. 420
Southfield, MI 48076

Osama J. Abdullah, Unique Remodeling LLC

460 N. Denwood
Dearborn, MI 48128

Rana Fawaz c/o OSIPOV BIGELMAN P.C.,
Jeffrey H. Higelman, Esq.

20700 Civic Center Dr., Ste. 420
Southfield, MI 48076

Respectfully Submitted,

APEX LAW

Dated: June 25, 2025

By: /s/ Tyler P. Phillips
Tyler P. Phillips (P78280)

Attorney for Defendant Brandon Heitmann
32900 Five Mile Road
Livonia, Michigan 48154
(734) 888-8399
tphillips@apexgrouplaw.com

UNITED STATES BANKRUPTCY COURT

Eastern District Michigan

In re **BRANDON HEITMANN**,
Debtor

SUBPOENA IN AN ADVERSARY PROCEEDING

MOHAMED SAAD
Plaintiff

Case No. * 24-41956-MAR

V.

BRANDON HEITMANN
Defendant

Chapter 7

To: **Justin Booth, Representative of Coastal Pools**
25005 Trans X Road
Novi, Michigan 48375

Adv. Proc. No. * 24-04375-MAR

☐ YOU ARE COMMANDED to appear in the United States Bankruptcy Court at the place, date, and time specified below to testify in the above adversary proceeding.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above adversary proceeding.

PLACE OF DEPOSITION

APEX LAW
32900 Five Mile Road
Livonia, Michigan 48154

DATE AND TIME

July 9, 2025 at 10:00 am

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):
All documents and communications relating to the Pool of Mohamed Saad located at 921 Crescent Drive, Dearborn, MI 48126. Including documents and messages between you and Mohamed Saad; Osama J. Abdullah; Dolphin Waterslides; Messina Concrete; or any other party as it relates to work performed by you including any and all reports, quotes, and/or invoices for work performed by you and/or coastal pools.

PLACE

DATE AND TIME

Same as above

July 9, 2025 at 10:00 am

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this adversary proceeding that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Rule 30(b)(6), Federal Rules of Civil Procedure, made applicable in adversary proceedings by Rule 7030, Federal Rules of Bankruptcy Procedure.

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for Debtor/Defendant

June 25, 2025

ISSUING OFFICER'S NAME, ADDRESS, AND PHONE NUMBER

Tyler P. Phillips (P78280), Apex Law 32900 Five Mile Road, Livonia, Michigan 48154 (734) 888-8399

PROOF OF SERVICE

SERVED	DATE	PLACE
SERVED ON (PRINT NAME) Justin Booth, Representative of Coastal Pools 25005 Trans X Road Novi, Michigan 48375		MANNER OF SERVICE
SERVED BY (PRINT NAME)		
		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2007, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure:

(c) Protecting a Person Subject to a Subpoena.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) Contempt.

The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

BRANDON HEITMANN,

Debtor(s).

Chapter 7
Case No. 24-41956-mar
Hon. Mark A. Randon

_____/

MOHAMED SAAD,

Plaintiff,

Adv. Pro. No. 24-04375-mar
Hon. Mark A. Randon

v.

BRANDON HEITMANN,

Defendant.
_____/

**NOTICE OF TAKING DEPOSITION OF JUSTIN BOOTH
OF COASTAL POOLS, DECUS TECUM**

**To: JUSTIN BOOTH OF COASTAL POOLS
25005 Trans X Rd
Novi, MI 48375**

PLEASE TAKE NOTICE that pursuant to the Subpoena to Testify at a Deposition in a Bankruptcy Case (Or Adversary Proceeding), Counsel for Defendant, Brandon Heitmann, will take the deposition of **Justin Booth of Coastal Pools**, on **July 9, 2025 at 10:00 a.m.** at the offices of **Apex Law - 32900 Five Mile Road, Livonia, Michigan 48154.**

The deposition will be transcribed by a court reporter.

Respectfully Submitted,

APEX LAW

Dated: June 25, 2025

By: /s/ Tyler P. Phillips
Tyler P. Phillips (P78280)

Attorney for Defendant Brandon Heitmann
32900 Five Mile Road
Livonia, Michigan 48154
(734) 888-8399
tphillips@apexgrouplaw.com

UNITED STATES BANKRUPTCY COURT

Eastern District Michigan

In re **BRANDON HEITMANN**,
Debtor

MOHAMED SAAD,
Plaintiff

V.

BRANDON HEITMANN,
Defendant

SUBPOENA IN AN ADVERSARY PROCEEDING

Case No. * 24-41956-MARChapter 7To: **Osama J. Abdullah**Adv. Proc. No. * 24-04375-MAR

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PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

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PLACE OF DEPOSITION

APEX LAW
32900 Five Mile Road
Livonia, Michigan 48154

DATE AND TIME

July 9, 2025 at 10:00 am

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All documents and communications relating to the Pool of Mohamed Saad located at 921 Crescent Drive, Dearborn, MI 48126. Including documents and messages between you and any employee of Exigent Landscaping; Mohamed Saad; Justin Booth; Dolphin Waterslides; Messina Concrete; or any other party as it relates to work performed by Exigent or any damages alleged by Mohamed Saad, if known.

PLACE

DATE AND TIME

Same as above

July 9, 2025 at 10:00 am

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this adversary proceeding that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Rule 30(b)(6), Federal Rules of Civil Procedure, made applicable in adversary proceedings by Rule 7030, Federal Rules of Bankruptcy Procedure.

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for Debtor/Defendant

June 25, 2025

ISSUING OFFICER'S NAME, ADDRESS, AND PHONE NUMBER

Tyler P. Phillips (P78280), Apex Law 32900 Five Mile Road, Livonia, Michigan 48154 (734) 888-8399

PROOF OF SERVICE

SERVED	DATE	PLACE
SERVED ON (PRINT NAME) Osama J. Abdullah		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

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(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

BRANDON HEITMANN,

Debtor(s).

Chapter 7
Case No. 24-41956-mar
Hon. Mark A. Randon

_____/

MOHAMED SAAD,

Plaintiff,

Adv. Pro. No. 24-04375-mar
Hon. Mark A. Randon

v.

BRANDON HEITMANN,

Defendant.

_____/

NOTICE OF TAKING DEPOSITION OF OSAMA J. ABDULLAH, DECUS TECUM

**To: Osama J. Abdullah
Unique Remodeling LLC
460 N. Denwood
Dearborn, MI 48128**

PLEASE TAKE NOTICE that pursuant to the Subpoena to Testify at a Deposition in a Bankruptcy Case (Or Adversary Proceeding), Counsel for Defendant, Brandon Heitmann, will take the deposition of **Osama J. Abdullah**, on **July 3, 2025 at 2:00 p.m.** at the offices of **Apex Law - 32900 Five Mile Road, Livonia, Michigan 48154.**

Deponent is to have personal knowledge to testify to all claims alleged in the Complaint and all amendments made in his pleadings in this matter.

The witness and counsel for the parties will participate in the deposition by videoconference. The deposition will be video recorded and transcribed by the court reporter who will participate in the deposition by remote video from another location.

Respectfully Submitted,

APEX LAW

Dated: June 25, 2025

By: /s/ Tyler P. Phillips
Tyler P. Phillips (P78280)

Attorney for Defendant Brandon Heitmann
32900 Five Mile Road
Livonia, Michigan 48154
(734) 888-8399
tphillips@apexgrouplaw.com

UNITED STATES BANKRUPTCY COURT

Eastern District Michigan

In re
BRANDON HEITMANN,
 Debtor
MOHAMED SAAD,
 Plaintiff
V.
BRANDON HEITMANN,
 Defendant

SUBPOENA IN AN ADVERSARY PROCEEDING

Case No. * 24-41956-MARChapter 7To: **Rana Fawaz**Adv. Proc. No. * 24-04375-MAR

☐ YOU ARE COMMANDED to appear in the United States Bankruptcy Court at the place, date, and time specified below to testify in the above adversary proceeding.

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DATE AND TIME

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Including documents and messages between you and any employee of Exigent Landscaping; Osama J. Abdullah, Justin Booth; Dolphin Waterslides; Messina Concrete; or any other party as it relates to work performed by Exigent or any damages alleged by Mohamed Saad, if known

PLACE

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for Debtor/Defendant

June 25, 2025

ISSUING OFFICER'S NAME, ADDRESS, AND PHONE NUMBER

Tyler P. Phillips (P78280), Apex Law 32900 Five Mile Road, Livonia, Michigan 48154 (734) 888-8399

PROOF OF SERVICE

SERVED	DATE	PLACE
SERVED ON (PRINT NAME) Rana Fawaz		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

BRANDON HEITMANN,

Debtor(s).

Chapter 7
Case No. 24-41956-mar
Hon. Mark A. Randon

_____/

MOHAMED SAAD,

Plaintiff,

Adv. Pro. No. 24-04375-mar
Hon. Mark A. Randon

v.

BRANDON HEITMANN,

Defendant.
_____/

NOTICE OF TAKING DEPOSITION OF RANA FAWAZ, DECUS TECUM

**To: Rana Fawaz
c/o OSIPOV BIGELMAN P.C.
Jeffrey H. Bigelman, Esq.
20700 Civic Center Drive, Suite 420
Southfield, MI 48076**

PLEASE TAKE NOTICE that pursuant to the Subpoena to Testify at a Deposition in a Bankruptcy Case (Or Adversary Proceeding), Counsel for Defendant, Brandon Heitmann, will take the deposition of **Rana Fawaz**, on **July 3, 2025 at 10:00 a.m.** at the offices of **Apex Law - 32900 Five Mile Road, Livonia, Michigan 48154.**

The deposition will transcribed by the court reporter.

Respectfully Submitted,

APEX LAW

Dated: June 25, 2025

By: /s/ Tyler P. Phillips
Tyler P. Phillips (P78280)

Attorney for Defendant Brandon Heitmann
32900 Five Mile Road
Livonia, Michigan 48154
(734) 888-8399
tphillips@apexgrouplaw.com

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

BRANDON HEITMANN,

Debtor(s).

Chapter 7
Case No. 24-41956-mar
Hon. Mark A. Randon

_____/

MOHAMED SAAD,

Plaintiff,

Adv. Pro. No. 24-04375-mar
Hon. Mark A. Randon

v.

BRANDON HEITMANN,

Defendant.

_____/

NOTICE OF TAKING DEPOSITION OF MOHAMED SAAD, DECUS TECUM

**To: Mohamed Saad
c/o OSIPOV BIGELMAN P.C.
Jeffrey H. Bigelman, Esq.
20700 Civic Center Drive, Suite 420
Southfield, MI 48076**

PLEASE TAKE NOTICE that pursuant to the Subpoena to Testify at a Deposition in a Bankruptcy Case (Or Adversary Proceeding), Counsel for Defendant, Brandon Heitmann, will take the deposition of **Mohamed Saad**, on **July 2, 2025 at 10:00 a.m.** at the offices of **Apex Law - 32900 Five Mile Road, Livonia, Michigan 48154.**

Deponent is to have personal knowledge to testify to all claims alleged in the Complaint and all amendments made in his pleadings in this matter.

The witness and counsel for the parties will participate in the deposition by videoconference. The deposition will be video recorded and transcribed by the court reporter who will participate in the deposition by remote video from another location.

Respectfully Submitted,

APEX LAW

Dated: June 25, 2025

By: /s/ Tyler P. Phillips
Tyler P. Phillips (P78280)

Attorney for Defendant Brandon Heitmann
32900 Five Mile Road
Livonia, Michigan 48154
(734) 888-8399
tphillips@apexgrouplaw.com

**UNITED STATES BANKRUPTCY COURT
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BRANDON HEITMANN,

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MOHAMED SAAD,

Plaintiff,

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v.

BRANDON HEITMANN,

Defendant.

NOTICE OF SUBPOENAS

PLEASE TAKE NOTICE, pursuant to Federal Rule of Civil Procedure 45, that Defendant, Brandon Heitmann, by and through his attorneys, Apex Law., intends to serve subpoenas in the form attached on: Justin Booth; Mohamed Saad; Osama J. Abdullah; and Rana Fawaz on June 24, 2025, or as soon thereafter as service may be effectuated.

Respectfully Submitted,

APEX LAW

Dated: June 25, 2025

By: /s/ Tyler P. Phillips
Tyler P. Phillips (P78280)
Attorney for Defendant Brandon Heitmann
32900 Five Mile Road
Livonia, Michigan 48154
(734) 888-8399
tphillips@apexgrouplaw.com